

KAYSVILLE CITY COUNCIL

Meeting Minutes

Aug 18, 2016

Minutes of a regular meeting of the Kaysville City Council held Thursday, August 18, 2016 at 7:00 p.m. in the City Council Chambers of the Kaysville City Municipal Center.

Council Members present: Mayor Steve Hiatt, Council Member Snell, Council Member Page, Council Member Adams and Council Member Garn.

Excused: Council Member Lee

Others present: City Manager Shayne Scott, City Engineer Andy Thompson, Zoning Administrator Lyle Gibson, City Recorder Maria Devereux, Parks Director Cole Stephens, Finance Director Dean Storey, Parks and Recreation Superintendent Vance Garfield, Parks Director Cole Stephens, Sharon Hadley, Ken Previe, Diane Foy, Logan Foy, Joshua Foy, Justin Brimhall, Vern Hadley, Gregg Richardson, Eric Last, Katie Mckellar, Aaron Nash, Liza Nash, David Evans, Margaret Brough, Brigg Lewis, Walt Parrish, Hazel Parrish, Ruth Jones, Mark Johnes, Tara Draney, Dave Davies, Spencer Luke, Mildred Funke, Clay Allen, Scott Workman, Spencer Workman, Samuel Gilchrist, Robert Gilchrist, Cal Nielsen, Ramona Porter, Carole Walker, Ann Adams, Dave Adams, Aliza Van Leuven, Char Adams, Bill Walley, Jeanne Nelsen, Rob Nilsen, Carol Fowler, Ed Fowler, David Robinson, and Marc Robinson.

Mayor Hiatt recognized Vance Garfield, Parks and Recreation Superintendent, for his exemplary service to the City for the past 33 years. He presented Vance Garfield with a plaque and expressed appreciation.

BUSINESS SPOTLIGHT

Right Now Chiropractic is a local company owned by Dr. Ken Pierce who has over 27 years of experience. He described his passion for people and healing. The care he provides is inclusive and takes appointments for \$20 per person. He stated that his goal is to get people in and out quickly. Dr. Pierce is taking the years of experience he has gained and has ingrained it within his business. He noted that the business is located behind the Taco Time in Kaysville.

PLAY UNPLUGGED

Council Member Lee announced the winners of the Play Unplugged drawing. She stated that Anthony from Kaysville Elementary and Finnian from Burton Elementary were the winners of the drawing. She thanked them for their participation this summer.

CALL TO THE PUBLIC

Mayor Hiatt asked the public to keep comments to three minutes. He explained that the City Recorder keeps time.

Roger Butterfield addressed purchasing and noted that there should be more controls placed on purchasing.

David Robinson distributed a handout entitled Assessment Report – Liability Exposure and Need for Mitigation, to establish the report and its recommendations on the record. He requested that the Council consider this Report in combination with the State Auditors Report currently before the Council.

Brigg Lewis told a humorous story.

Sharon Hadley with Daughters of Utah Pioneers, expressed her thanks to the Council and Mayor for their support.

Bill Lolly thanked the Council for the sacrifices they make. He addressed the Code of Conduct and noted common sense items should be addressed. He expressed interest in assisting the Council or Planning Commission. He stated that the water parade should be a City function.

Robert Nielsen noted that he enjoys the Kaysville Parade. He noted that his children and grandchildren also enjoy the water parade. He expressed his appreciation toward Council Member Adams.

Jeff Larsen stated that Kaysville City has a great sense of community. He noted that one of the highlights of the summer is the water parade and stated that he appreciates sense of tradition.

Marc Robinson thanked the Council for their time. He stated that he is confused with the statements of support for the water parade since the water parade is not being cancelled.

Dave Davies noted that Mayor Hiatt has made an effort to change Call to the Public, and asked if the Mayor might allow the public to comment for one minute on each item. He suggested there be a five minute break after Call to the Public so that attendees can exchange information if needed.

Greg Richardson expressed his appreciation for Council Member Adams and his participation in the water parade. He noted his concerns for viable water and chlorination issues.

Spencer Luke asked for an expeditious resolution to safe routes and travel, due to school beginning shortly.

Ryan Goodfellow commended Council Member Adams for the use of the fire truck and the efforts he makes to make the parade fun and enjoyable each year.

Mayor Hiatt noted that he enjoys the parade each year and concurs that it is enjoyable for the entire community.

Mayor Hiatt noted that he will review the letter from Mr. Larsen and will respond in detail at a later time.

Mayor Hiatt explained that there were many calls to the State Auditor's Office and he was among many that asked for review.

Council Member Adams asked Finance Director Dean Storey if there was liability insurance for the parade.

Dean Storey stated that the City has liability insurance, and stated that the parade is covered.

Mayor Hiatt noted that the City Council will address the insurance matter at another time, in greater detail.

APPOINTMENT OF PARKS AND RECREATION SUPERVISOR

City Manager Shayne Scott explained that Cole Stephens is being appointed as the next Parks and Recreation Supervisor. He stated that Cole Stephens, Parks Director, will take over for Vance Garfield who has just retired after 33 years of service to the City.

Mayor Hiatt expressed his appreciation for Vance Garfield and thanked him for his service. He welcomed Cole Stephens as the new Parks and Recreation Supervisor.

Council Member Snell made motion to appoint Cole Stephens as the Parks and Recreation Supervisor, second by Council Member Adams.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member Lee, Excused

The motion passed unanimously.

INTERLOCAL AGREEMENT WITH DAVIS COUNTY FOR UPDES GENERAL PERMIT.

City Manager Shayne Scott noted that the Utah Pollutant Discharge Elimination System (UPDES) Agreement is mandated by the Clean Water Act to control pollutants in water, to include storm water. He explained that essentially it is a five-year agreement to keep storm water clean.

Council Member Snell made a motion to approve the Interlocal Agreement with Davis County, second by Council Member Page.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member Lee, Excused

The motion passed unanimously.

CITY HALL DOOR ACCESS CONTROL

City Manager Shayne Scott explained that door access controls be installed for security purposes. He noted that he is in favor of the low bid. He stated though it wasn't a budgeted item that it is affordable.

Ryan Judd, IT Manager, noted that the City currently has control doors at the Police Station, Fire Station and Operations Center. He explained that installation of these controls can limit access and can provide better security for staff. He explained that access can be gained with a fob or badge, a proximity card.

Finance Director Dean Storey noted that funds can be transferred from the Capital Projects fund if needed.

Council Member Adams made a motion to implement City Hall Door Access Control and award the project to the lowest bidder, second by Council Member Garn.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member Lee, Excused

The motion passed unanimously.

PAPERLESS CITY COUNCIL MEETINGS

City Manager Shayne Scott encouraged the Council to have paperless meetings. He explained that it would promote accuracy, time savings, cost savings, and less work for staff.

Mayor Hiatt suggested that an agenda item could be connected and accessible by hyperlink.

Council Member Garn noted they can print out documents if needed and does approve of paperless meetings. He noted that using technology would be beneficial.

Council Member Adams noted that he wouldn't prefer an electronic device due to cost but suggested a screen or dual screens may benefit the Council and the audience in attendance.

Ryan Judd, IT Manager, noted that his department has researched upgrading audio equipment and feels it would be beneficial.

Mayor Hiatt noted that audio equipment was in the budget previously and suggested it be a future agenda item.

Council Member Page suggested the City improve the screen and set up within the Council Meeting.

Mayor Hiatt directed City Manager Shayne Scott to propose options regarding paperless meetings in the future.

PROPOSED JOB DESCRIPTIONS.

City Manager Shayne Scott noted that job descriptions should change slightly. He explained that Andy Thompson holds the City Engineer and Community Development Director Position and suggested that it would be prudent for the Public Works Superintendent to also be the Assistant City Engineer. He explained that if the City were to hire an engineer with municipal experience then much of the work could be done in-house.

Council Member Adams noted that this change can encourage cost savings.

Shayne Scott noted that with the job reclassification, the pay grade changes are appropriate. He noted that there is added responsibility and would ask them to approve the increase.

Council Member Snell made a motion to make the changes as outlined to the Community Development Director/City Engineer position and the Superintendent/Assistant City Engineer position and implement restructuring and grade reclassifications for both positions and the Public Works Foreman position, second by Council Member Garn.

Council Member Adams made a substitute motion to withhold the Public Works Foreman increase temporarily, no second.

Dean Storey, Finance Director noted that each city position is based on job duties, and functions. He explained that within each grade are steps and employees move up with experience.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Nay
Council Member Garn, Yea
Council Member Lee, Excused

The motion passed three to one.

UTAH STATE AUDITOR REPORT, FINDINGS AND RECOMMENDATIONS

Mayor Hiatt noted that he reached out to the State Auditor's Office, only to hear that they had were already moving forward with an investigation.

Mayor Hiatt noted that it would require a four to one vote in order to enter into closed session. He noted that it would be appropriate to be put on next agenda as a closed action item.

Findings and Recommendations - excerpt from the State Auditors Report.

1. Parade participation lacked clear understanding and formal arrangement.

Mayor Hiatt noted that every personal entry in to the parade must have a form. He noted that City entries haven't required a form.

Council Member Snell noted that the City needs to have a uniformed process to enter the parade. He stated that a uniformed policy would be beneficial.

Council Member Garn noted that a conflict of interest disclosure may be helpful and may benefit all entries into the parade to sign a form.

Council Member Larry Page stated that insurance companies asks for hold harmless clauses.

Mayor Hiatt noted that it may be beneficial for staff to recommend a policy in regard to City versus private entries in the parade and implement the policy before June of 2017.

Council Member Garn made a motion to implement item one to direct staff to establish rules, and procedures for parade entries and present a liability waiver form in regard to entries, second by Council Member Snell.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member Lee, Excused

The motion passed unanimously.

5. Shared Credit Cards Increase Risk of Misuse

Mayor Hiatt noted that the recommendation is that the City minimize the practice of sharing credit cards, and ensure that additional controls are in place to minimize the misuse of credit cards. He explained that they also recommended implementation of P-cards.

City Manager Shayne Scott noted that additional controls are in place and that items still need to be coded and signed.

Mayor Hiatt noted that he feels there was no malicious intent on the behalf of Council Member Adams.

Council Member Garn noted that he is in support of water parade. He noted that an idea would be to continue the water parade, ask for bids, and then pay for an entry into the parade.

Council Member Snell made a motion to give staff direction to formulate a policy for the use and control of City credit cards, second by Council Member Page

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member Lee, Excused

The motion passed unanimously.

4. Supervisor failure to clearly delineate spending approval

City Manager Shayne Scott noted the City agrees to update its current procurement and purchasing policy to include spending thresholds by both Department Heads and the City Manager. He noted that this policy will include any ways in which City Council Members may spend City funds. He explained that a procurement policy would be beneficial and stated that a motion is not needed for this item.

3. Supervisor likely unable or unwilling to decline questionable spending requests by any member of the City Council.

Council Member Snell made a motion to direct staff to design a policy requiring that purchase requests from the Mayor and City Council members be brought before the City Council subject to an effective review, second by Council Member Adams.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member Lee, Excused

The motion passed unanimously.

2. Public funds may have been used for political purposes

Council Member Garn noted that he feels that Council Member Adams may want to withdraw or recuse himself from the discussion and should not be a voting member of the body.

Council Member Adams noted that he would like to be a part of the discussion. He stated that the banner on the back of the truck was still attached during the parade. He stated that he isn't running a second term and apologized for the campaign sign being displayed during the parade.

Council Member Page noted that Council Member Adams most likely wasn't aware of the implications of the sign in the parade. He stated that the majority of the City is concerned about using public funds to support private property. He stated that he doesn't agree with taking City funds to improve a personal vehicle. He noted that it is an unfortunate situation and that funds were mishandled.

Council Member Snell noted that the audio system is an outside system with subwoofers and speakers. He noted that he doesn't believe the City is in need of these items and they could be returned.

Council Member Adams stated that the fire truck has no more value than it did three months ago.

Vance Garfield noted that he did not clarify the amount that was going to be spent. He noted that he made a mistake and has no plausible reason why he didn't verify. He noted that the sound system was not needed and noted that the most important part of the parade was the water. Vance Garfield noted that his focus was on the water parade and knew that time was of the essence.

Council Member Snell made a motion to take the State Auditors recommendation and that Council Member Adams be required to reimburse the City the entire amount, minus any items that can be taken back, but that the entire amount be accounted for, second by Council Member Garn.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Nay
Council Member Garn, Yea
Council Member Lee, Excused

The motion passed unanimously.

COUNCIL MEMBER REPORTS

No Council Member Reports.

MINUTES

Mayor Hiatt asked for a motion to approve the Minutes for August 4, 2016.

Refer to handout – David Robinson clarified his statement from previous minutes.

Council Member Snell made a motion to approve the Minutes for August 4, 2016 with the modifications as outlined, second by Council Member Garn. The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member Lee, Excused

The motion passed unanimously.

CLAIMS

Mayor Hiatt asked for a motion to approve the August 4, 2016 claims.

Council Member Snell made a motion to approve the current set of claims, second by Council Member Page.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Lee, Excused
Council Member Adams, Nay
Council Member Garn, Yea

The motion passed three to one.

CALENDAR ITEMS

The current calendar items are listed on the website.

Council Member Snell made a motion for adjournment at 11:39 p.m., second by Council Member Page and passed unanimously.